

1 KAMALA D. HARRIS
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 JEFFREY M. PHILLIPS
Deputy Attorney General
4 State Bar No. 154990
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 324-6292
Facsimile: (916) 327-8643
7 Attorneys for Complainant

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9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 2013-745

12 **CHERYL DIANE HURST, AKA**
13 **CHERYL HURST**

14 P.O. Box 72
Hickory, Mississippi 39332

15 **Registered Nurse License No. 586802**

16 Respondent.

A C C U S A T I O N

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18 Louise R. Bailey, M.Ed., R.N. ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this Accusation solely in her official capacity as the Executive
21 Officer of the Board of Registered Nursing ("Board"), Department of Consumer Affairs.

22 **Registered Nurse License**

23 2. On or about September 5, 2001, the Board issued Registered Nurse License
24 Number 586802 to Cheryl Diane Hurst, also known as Cheryl Hurst ("Respondent"). The
25 Registered Nurse License expired on April 30, 2011, and has not been renewed.

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1 a. Respondent self-administered methamphetamine, a controlled substance and a
2 dangerous drug.

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4 b. Respondent possessed methamphetamine, a controlled substance, in violation of Code
5 section 4060.

6 **PRAYER**

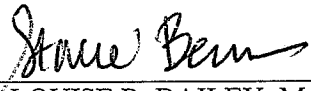
7 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,
8 and that following the hearing, the Board of Registered Nursing issue a decision:

9 1. Revoking or suspending Registered Nurse License Number 586802, issued to
10 Cheryl Diane Hurst, also known as Cheryl Hurst;

11 2. Ordering Cheryl Diane Hurst, also known as Cheryl Hurst, to pay the Board of
12 Registered Nursing the reasonable costs of the investigation and enforcement of this case,
13 pursuant to Code section 125.3; and,

14 3. Taking such other and further action as deemed necessary and proper.

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16 DATED: March 13, 2013

for 
LOUISE R. BAILEY, M.ED., R.N.
Executive Officer
Board of Registered Nursing
State of California
Complainant

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EXHIBIT A

Voluntary Surrender and Agreed Order

In the Matter of Mississippi License No. R-858334, issued to: Cheryl Hurst
State of Mississippi Board of Nursing

STATE OF MISSISSIPPI
BOARD OF NURSING

IN THE MATTER OF MISSISSIPPI
LICENSE NO.R-858334, issued to:

CHERYL HURST
10377 HWY 503
HICKORY, MS 39332
Respondent

VOLUNTARY SURRENDER

DOB: 03/14/1977

AGREED ORDER

WHEREAS, RESPONDENT, CHERYL HURST, had been vested with the right and privilege to practice nursing in the State of Mississippi by virtue of License No. R-858334 issued by the Mississippi State Board of Nursing;

WHEREAS, RESPONDENT, CHERYL HURST, has consented to enter into an AGREED ORDER without the necessity of a disciplinary hearing by said Board;

IT IS, THEREFORE, STIPULATED AS FOLLOWS:

1. That this AGREED ORDER is entered into freely, willingly, and voluntarily by all parties, and further, such AGREED ORDER is entered into in lieu of having a full administrative hearing before the Mississippi Board of Nursing.

2. That RESPONDENT freely, willingly, and voluntarily waives any and all rights to an administrative hearing whereby she could:

- (a) appear either personally or by counsel or both,
- (b) produce witnesses or evidence in her behalf,
- (c) cross-examine witnesses, and
- (d) have subpoenas issued by the Board on her behalf.

3. That RESPONDENT has violated Miss. Code Ann. Section 73-15-29 (1) (k) in that RESPONDENT engaged in conduct likely to deceive, defraud or harm the public. Specifically,

On or about 02/24/2010 **RESPONDENT** was arrested for Conspiracy to Distribute a Controlled Substance in Lauderdale County, Mississippi. **RESPONDENT** admitted in her statement to the Board that she does occasionally use Methamphetamine and ICE.

4. That this AGREED ORDER shall be subject to approval by the Board. If the Board fails to approve the AGREED ORDER, it shall have no force or effect on the parties.

5. That it is understood and agreed that the purpose of this AGREED ORDER is to avoid a hearing before the Board. In this regard, **RESPONDENT** authorizes the Board to review and examine any documentary evidence or information concerning **RESPONDENT** prior to or in conjunction with its consideration of this AGREED ORDER.

6. That should the Board not accept the AGREED ORDER, the presentation to and consideration of this AGREED ORDER and the documentary evidence by the Board shall not unfairly or illegally prejudice the Board or any of its members from participation in hearings or proceedings pertaining to these or other matters regarding **RESPONDENT**.

7. That upon execution of this AGREED ORDER, **RESPONDENT** shall immediately be deemed to have voluntarily surrendered his license/privilege to practice nursing in the State of Mississippi. That **RESPONDENT'S** license shall be attached to this executed **VOLUNTARY SURRENDER** when submitted to the Board. **RESPONDENT** acknowledges that this surrender of his license/privilege to practice nursing shall have the same effect as a revocation of her license/privilege to practice nursing.

8. That this **VOLUNTARY SURRENDER** shall remain in effect for a MINIMUM of one (1) year from the date the Board of Nursing ratifies this AGREED ORDER.

9. That after one (1) year from the date the Board ratifies this AGREED ORDER, **RESPONDENT** shall be eligible to petition the Board for restoration. At that time, the Board in its discretion may deny the request, issue a restricted license/privilege, or grant full restoration of **RESPONDENT'S** nursing license/privilege.

10. That **RESPONDENT** agrees that should he petition the Board for restoration of his nursing license/privilege, the Board shall have access to his entire Board of Nursing investigative file.

11. That **RESPONDENT** does hereby fully, completely and finally release the Board of Nursing and its agents, servants, or employees from any and all claims, charges, demands, damages, costs, expenses, actions and causes of action of every kind and whatsoever nature which **RESPONDENT** may now or hereafter have which are in any manner whatsoever related to this AGREED ORDER between **RESPONDENT** and the Board of Nursing. The Mississippi Board of Nursing admits no liability of any kind and, in fact, specifically denies any and all liability in any way related to this AGREED ORDER.

12. That this document will be considered to be a public record entered as the final disposition of disciplinary proceedings presently pending against **RESPONDENT** and that this action shall be considered to be and may be recorded as a **FINAL ORDER** of the Board. This discipline will be reported to all federally mandated data banks and in accordance with the provisions of the Health Insurance Portability and Accountability Act of 1996, as amended.

EXECUTED this the 17 day of March, 2010.

C. Hurst
CHERYL HURST

Subscribed and sworn to before me in my presence, this the 17th day of

March

(NOTARY SEAL)



Jennie S. Sanger
Notary Public

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APPROVED AND ACCEPTED by the MISSISSIPPI BOARD OF NURSING on this the 9th day of April, 2010.

BOARD SEAL)

MISSISSIPPI BOARD OF NURSING

By: G. Dwayne Self
G. Dwayne Self, RN, CNRN, President

Subscribed and sworn to before me, in my presence, this the 9th day of

April

2010.



April D. Majors
Notary Public